

**IN THE
UNITED STATES
PATENT AND TRADEMARK
OFFICE**

<i>Application Number</i>	10/666,491
<i>Filing Date</i>	September 19, 2003
<i>First Named Inventor</i>	Darrell Dennis BURCKHARDT
<i>Group Art Unit</i>	3735
<i>Examiner Name</i>	Ahmed M. Farah
<i>Attorney Docket Number</i>	2003P07968US (2436.127NPUS00)

*Title of the Invention: SYSTEM AND METHOD OF MEASURING DISEASE SEVERITY OF A PATIENT
BEFORE, DURING AND AFTER TREATMENT*

INTERVIEW SUMMARY RECORD

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a summary of a telephonic interview conducted with the Examiner on September 18, 2006, regarding the Office action dated May 17, 2006.

In the interview, the undersigned pointed out that the Office action stated the application was in condition for allowance except for the presence of non-elected claims 1-13. The Office action set a one month due date for response, and further stated that “[f]ailure to take action during this period will be treated as an authorization to cancel the noted claims by Examiner’s Amendment and pass the case to issue.”

The undersigned pointed out that in accordance with the Office action, Applicants did not respond to the May 17, 2006 Office action as Applicants relied on the statement in the Office action that a failure to respond would be treated as authorization to place the case into condition for allowance. The Examiner agreed with this conclusion and represented to the undersigned that the non-elected claims would be cancelled and the application passed to issue. The undersigned confirmed this understanding in a follow-up e-mail communication to the Examiner on October 3, 2006, to which no contrary response was received.

To date, no further communication has been received from the USPTO. As the six month statutory deadline for response to the May 17, 2006 Office action expires today, November 17, 2006, this makes of record the fact that Applicants are still awaiting a

Notice of Allowance and Examiner's Amendment, and have not and do not intend to abandon the present patent application.

Conclusion

In view of the foregoing, Applicants request advice as to when a Notice of Allowance may be expected.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Novak Druce Deposit Account No. 14-1437.

RESPECTFULLY SUBMITTED,					
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